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## Turkey and the EU: Perpetual Crisis or Restricted Cooperation?

By *Senem Aydın-Düzgit*

Turkey–EU relations have been suffering from an interminable stagnation long before the Turkish Constitutional referendum on April 16. Accession negotiations that were started in 2005 have proceeded at a snail’s pace, with 15 (out of 35) chapters opened by June 2017 and only one chapter provisionally closed. This long-standing stagnation in the Turkey–EU relationship cannot be analyzed independently of Turkey’s growing estrangement with the West in general. Despite this increasingly strenuous relationship, it was not until the pre-referendum period that stagnation culminated into crisis between Turkey and the EU and ultimately led to an intense debate on the suspension of accession negotiations. Freezing of negotiations was first recommended by the European Parliament through a resolution in November 2016 in response to Turkey’s crackdown on the rule of law and civil liberties under the state of emergency declared after the coup attempt. Yet it is doubtful whether the formal suspension of accession negotiations is the ideal option in shaping the future relationship between Turkey and the European Union.

Relations between the two sides have not only been strained from an accession point of view, but also from the perspective of bilateral cooperation. The functioning of the Customs Union agreement dating back to 1995 has been criticized by both parties on different grounds, leading to voices from both sides calling for an upgrade of the agreement. The more recent Turkey–EU refugee deal signed after the eruption of the Syrian crisis has not been immune to the political strains in the relationship and is at the moment in a fragile state. On numerous occasions, the Turkish side has declared that it could consider cancelling the deal whenever it deems necessary, while the EU side has yet to grant Turkish citizens visa liberalization.

The formal suspension of accession talks may be off the agenda until the German elections, however, these recent developments serve to strengthen the view that the current state of affairs between EU and Turkey is no longer sustainable. It is clear that despite the occasional rhetorical commitment to the accession perspective by the Turkish side, membership under the current enlargement rules is not a desired option by both parties. Although accession talks have long been technically frozen, their formal suspension is the least desirable option.

### Engagement at the Micro and Macro Level

The accession perspective provides the necessary, albeit still not sufficient, tools for the EU to engage with Turkish society at the micro level. The referendum results have shown that Turkey is a very heterogeneous society, with at least half of its population opposing the erosion of democracy. In a similar vein, despite all the downturn in the relations at the macro-political level, roughly half of Turkish society is still supportive of Turkey’s eventual accession to the EU, however improbable it may seem at this stage. Engagement with Turkish society through accession instruments such as the Instrument for Pre-Accession Assistance (IPA) and Erasmus programs are necessary from both normative and pragmatic points of view. From a normative perspective, micro-level engagement is the key for the EU to support the pro-democratic forces in Turkey and have any democratic leverage in the country. One can easily recall the very weak nature and impact of EU engagement with Turkey in the 1990s when the relations were structured outside the accession framework.

In the short term, bilateral cooperation outside the accession track might be perceived as beneficial for both sides.

Far from punishing the Turkish government for its democratic violations, this option would help to rid Turkey from any democratic constraints imposed by Europe, and could run the risk of contributing to the increasing instability in Turkey. In the medium to long term, this could potentially further threaten European stability and security interests. Furthermore, by being presented as living proof of EU enmity toward Turkey, freezing of the accession talks could be instrumentalized by the government to consolidate and mobilize the party's constituency — the unity of which has been challenged by the referendum — around anti-Europeanism/anti-Westernism. This would in turn contribute to solidifying the existing polarization in the country on identity-based grounds, which is already a key factor in precluding democratic reform in Turkey.

### **Political Uncertainty**

The current political climate in Turkey is unsustainable and likely to change in the future. Though an abrupt transformation is not likely to happen soon, any substantive long-term political change involving a change of government and a reconstruction of relations with the EU and the West would be easier to do with the accession track as a present option. If suspended, it could be nearly impossible to re-start the accession perspective with Turkey, especially considering the change in the political and the economic state of EU member states since the time of the opening the accession talks with Turkey.

The formal EU decision-making structure requires the unanimous agreement of member states to open accession negotiations with any candidate country. In the beginning, Turkey's accession was intensely contested by member states such as Austria and France in 2004, and was, in the end, made possible only through a bargain struck by the U.K. between the contesting parties. A former champion of Turkish accession and the key player in the opening of accession talks with the country, the U.K. is now moving out of the EU and cannot provide the same support in the future. Furthermore, the rise of the populist right and the anti-immigrant rhetoric in Europe is not likely to wane any time soon, and would make it very difficult for some, if not all, of the remaining member states to approve rebooting the process with a country whose accession prospects have long raised concerns on religious and identity-related grounds across the European publics.

### **New Forms of Cooperation**

Because the accession process is technically frozen already, an argument often heard in favor of suspension is that both sides are forced to find new means of bilateral cooperation. It is, however, possible to make the most of what the accession track provides for micro-level societal engagement and to, at the same, make efforts toward bilateral cooperation in key policy areas such as migration, security, and trade.

Further steps could be taken to strengthen the footing of the migration deal between the EU and Turkey by fostering closer institutional cooperation and realizing visa liberalization. Novel measures to build the much-needed framework for security cooperation in the face of common security threats such as the self-proclaimed Islamic State should be a priority. A modernized Customs Union agreement that provides for the full liberalization of trade in agriculture and services, as well as the bilateral opening of public procurement markets, could finally be achieved. The sustainability of these new forms of cooperation would still largely be subject to political stability in Turkey, which is increasingly strained by the country's democratic shortcomings. Turkey is not like Russia or China where the lack of democracy does not threaten political stability. Instead, as the referendum results have shown, Turkish society is much more diverse and thus much harder to govern in the medium to long term under increased political contestation.

For the sake of sustainable bilateral cooperation, as well as out of normative concerns, issue linkages could be formulated between specific steps in bilateral cooperation and domestic reform, such as the tying of reform of the law on public procurement to the updating of the Customs Union. Steps in further economic and security cooperation should also be tied to progress in concrete areas in the larger framework of democracy, human rights, and the rule of law. This could be currently the only way to ensure that normative goals and strategic objectives can coexist in the EU's relations with Turkey.

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